

**PRELIMINARY AMENDMENT**

**PATENT APPLICATION**

Continuation of

Appln. No. 09/231,570

wherein each pulse of biphasic pacing stimulation comprises:

a first stimulation phase with a first phase polarity, a first phase amplitude, a first phase shape and a first phase duration; and

a second stimulation phase with a second phase polarity, a second phase amplitude, a second phase shape and a second phase duration.

38. The implantable cardiac stimulator device as in claim 37, wherein, in the event that the detecting circuitry determines that capture has not occurred, the pulse generating circuitry increases the stimulation intensity level by predefined increments until capture occurs.

39. The implantable cardiac stimulator device as in claim 37, wherein, in the event that the detecting circuitry determines that capture has occurred, the pulse generating circuitry halts biphasic pacing stimulation. --

**REMARKS**

Claims 1, 2, 4, 5, 15, and 30-39 are pending in the application. Claims 3, 6-14, and 16-29 have been canceled.

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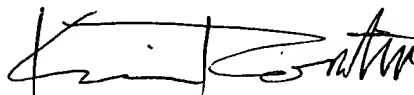
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No new matter has been entered.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached pages are captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE".

The above amendments are to focus prosecution in this continuation application on claims that were rejected in the parent application.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

Amend claims 1, 2, 4, 5, and 15 as follows:

1. (Amended) A method of operating an implantable [cardioverter-defibrillator (ICD)] cardiac stimulator to perform cardioverting, the [ICD] cardiac stimulator having output means for delivering electrical stimulation of a predetermined polarity, amplitude, shape and duration, the method comprising:
  - sensing the onset of [arrhythmia] tachycardia;
  - applying pulses of biphasic pacing stimulation at a first intensity level selected from the group consisting of at the diastolic depolarization threshold, below the diastolic depolarization threshold or above the diastolic depolarization threshold, wherein each pulse of biphasic pacing stimulation comprises:
    - a first stimulation phase with a first phase polarity, a first phase amplitude, a first phase shape and a first phase duration; and
    - a second stimulation phase with a second phase polarity, a second phase amplitude, a second phase shape and a second phase duration; and
  - determining whether pacing capture has occurred.

2. (Amended) The method of operating an implantable cardiac stimulator [ICD] as in claim 1, wherein it is determined that capture has not occurred, further comprising:

increasing the stimulation intensity level by predefined increments until capture occurs.

4. (Amended) The method of operating an implantable cardiac stimulator [ICD] as in claim 1, wherein it is determined that capture has occurred, further comprising:

halting biphasic pacing stimulation.

5. (Amended) The method of operating an implantable cardiac stimulator [ICD] as in claim 1, wherein the first phase polarity is positive.

15. (Amended) The method of operating an implantable cardiac stimulator [ICD] as in claim 1, wherein the first phase duration is at least as long as the second phase duration.